

March 2, 2009

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Suite TW-A325
Washington, D.C. 20054

Re: Annual CPNI Certification for 2008 Calendar Year, EB Docket No. 06-36

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 64.2009(e), please find enclosed Speakeasy, Inc.'s annual CPNI certification for the 2007 calendar year. Please let us know if you have any questions or concerns in connection with this filing.



Bruce Chatterley
Chief Executive Officer
Speakeasy, Inc.

Enclosures

cc: Best Copy Printing (via e-mail)
Enforcement Bureau, Telecommunications Consumers Division (two copies via
and delivery)

Annual 47 C.F.R. § 64.2009(e) CPNI Certification
EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2008

Date filed: March 2, 2009

Name of company covered by this certification: Speakeasy, Inc.

Form 499 Filer ID: 822312

Name of signatory: Bruce Chatterley

Title of signatory: Chief Executive Officer

I, Bruce Chatterley, certify that I am an officer of Speakeasy, Inc. and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how Speakeasy Inc.'s procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

Speakeasy, Inc. has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

Speakeasy Inc. has not received any customer complaints in the past year concerning the unauthorized release of CPNI (number of customer complaints a company has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category or complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information).

A handwritten signature in black ink, appearing to read 'Bruce Chatterley', is written over a horizontal line.

Bruce Chatterley
Chief Executive Officer
Speakeasy, Inc.

47 C.F.R. 64.2001 et seq. Speakeasy, Inc. CPNI Compliance Statement

Speakeasy, Inc. ("Speakeasy") maintains a comprehensive compliance program to ensure that it complies with all applicable CPNI rules and regulations. As part of this program:

- All current and new employees are required to attend training seminars on the CPNI rules. Employees must sign an acknowledgement that they have received CPNI training and understand the consequences for failure to follow the rules.
- Specific groups of employees, including in-house and third party sales staff, customer support and supervisory personnel, receive more in-depth training. Depending on their position, this training may include: (1) step-by-step instructions regarding how customers must be verified so that they may lawfully access their CPNI, including call detail information; (2) issues related to the opt-out/opt-in process; (3) the process related to customer notification of account changes; and (4) how to respond if a CPNI "breach" occurs.
- Those employees that violate Speakeasy's CPNI policy or use, access or disclose CPNI in an inappropriate manner may receive additional training as appropriate and/or receive sanctions up to and including termination of employment.
- Speakeasy has established procedures to ensure its customers' CPNI is not disclosed to unauthorized parties. For example, it has adopted robust password protections for access to CPNI. The passwords must contain at least one capital, one lower case letter and two non-alpha-numeric characters and must be at least eight characters long. Speakeasy has also established backup authentication methods based on "shared secrets." The shared secrets were specifically designed so that the answers would not contain any account information or readily available biographical information. Speakeasy's password and account security programs and policies are configured to discover and protect against pretexting.
- Speakeasy provides customer notification of certain account changes, including whenever a password, online account, or address of record is created or changed. This notification is sent to the customer's existing address of record.
- Speakeasy has established procedures and provides appropriate customer notices so that customer permission can be obtained for the use, access and disclosure of customers' CPNI for certain permissible purposes. Speakeasy notifies each customer in writing that the customer has the right to "opt-out" from Speakeasy using his or her CPNI for certain purposes. Speakeasy retains customer account records showing when CPNI notices have been provided to the customer. Records of customer notice are retained for at least one year. Opt-out notices are sent to customers at least every two years.

- Speakeasy maintains systems that permit its customers to “opt-out” or change their CPNI elections at any time by logging into their account on Speakeasy’s website. All Speakeasy VoIP customers receive broadband, so online access and the ability to change their election is available to all Speakeasy customers at no additional cost. Speakeasy retains a record of customer elections for at least one year.
- Speakeasy provides its customers with the ability to “opt-in” to permit Speakeasy to use, access or disclose their CPNI for certain purposes. However, Speakeasy does not currently use, access or disclose customer CPNI pursuant to “opt-in” consent for any purpose.
- Speakeasy maintains systems that clearly record and display for its employees whether and for what purpose customer permission has been granted for the access, use and disclosure of each customer’s CPNI. Speakeasy has modified its “MOSES” CRM software for this purpose.
- Speakeasy has established a supervisory review and approval process regarding use of CPNI in outbound marketing campaigns. Records of review and approval are retained for at least one year.
- Speakeasy has established a process to notify the FCC within five days in the event of a breakdown in its opt-out processes.
- In addition to the appropriate CPNI notices mandated by the FCC’s rules, Speakeasy’s contracts with its VoIP customers notify each customer of his or her CPNI rights and explain how a customer can obtain additional information regarding his or her rights.
- Speakeasy has established a process to ensure that employees will report any possible CPNI “breaches” to the appropriate supervisor. The reported breach will be reviewed by the Human Resources and Legal Departments as well as the Chief of Marketing who will then determine if notification to law enforcement and the customer is appropriate under the law. Speakeasy will maintain records of all breaches, notifications to law enforcement and notifications to customers for at least two years.
- Speakeasy has designated a corporate officer who acts as an agent for the company and is responsible for signing the annual compliance certificate demonstrating that the officer has personal knowledge that Speakeasy has established operating procedures adequate to ensure compliance with the CPNI rules and regulations.